

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DIAMOND ASSET LLC,

Plaintiff,

v.

E-TECH ASSETS LLC,

Defendant.

ORDER

18-cv-568-wmc

Today, the court held an *ex parte* hearing with defendant's counsel on his motion to withdraw. (Dkt. #31.) Defendant's counsel provided ample support orally to grant that motion. Accordingly, the court will do so on or after November 6, 2018, *unless before that date*:

- 1) defendant's counsel fails to file *ex parte* an affidavit supporting his withdrawal on grounds laid out during the hearing, along with copies of attempted communications with defendant and proof of service or attempted service of his motion to withdraw, the affidavit and this order on defendant;
- 2) Michael Santos, defendant's C.E.O., or another officer or legal representative of defendant objects on good grounds to the withdrawal; *or*
- 3) plaintiff objects based on undue prejudice.

Defendant should keep in mind that it can *only* appear in this action through legal counsel. *See United States v. Hagerman*, 545 F.3d 579, 581 (7th Cir. 2008) (limited liability corporation "is not permitted to litigate in a federal court unless it is represented by a lawyer licensed to practice in that court"). As such, if the motion to withdraw is granted, defendant will be without any representation in this case absent the timely appearance of replacement counsel, including with respect to any motion to enforce the injunction previously entered against it in this case. (Dkt. #22.)

Entered this 30th day of October, 2018.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge